

REMARKS

This is in response to the Office action dated May 10, 2006, wherein the examiner made a three-way restriction requirement of the pending claims. The applicants provisionally elect group 1, consisting of claims 1, 10-11, 13-14, 19, and 22-23, with traverse. The applicant respectfully requests that the restriction be withdrawn as to each of the three groups, and that pending claims 1-28, 39, and 40 be allowed, in light of the following remarks.

The applicants note that claims 1-28, which are now asserted to cover three inventive groups, were previously indicated to be within a single inventive group, and substantively examined as such; and that claims 10, 11, 13, 14, 19, 22, and 23 were previously indicated to be allowable. Although MPEP 811.02 indicates that a second restriction requirement may be made when proper after an applicant has complied with a first one, the applicants submit that examining claims 1-28, 39 and 40 in a single group would be appropriate, as indicated by the previous action by the Patent Office in indicating claims 1-28 to belong to a single group and substantively examining them as such.

Additionally, the applicants submit that withdrawing the restriction requirement would be proper because the characteristic subject matter given to define Group 1, of a slider with a debris shield, does not appear in any of the claims except claim 23; the characteristic subject matter given to define Group 2, of a slider with a third coefficient of expansion... greater than a second coefficient of expansion, does not appear in any of the claims except claim 21; and the characteristic subject matter given to define Group 3, of a slider with a landing pad, does not appear in any of the claims except claim 24. The subject matter of all pending claims besides those three, does not correspond to the defining characteristic subject matter given for any of the three inventive groups described, and therefore even under the rationale provided for the restriction requirement, do not belong to separate inventive groups, and should be examined together. This is true between groups 1 and 2, 1 and 3, and 2 and 3, so each aspect of the restriction is specifically traversed.

Furthermore, withdrawing the restriction would be proper because the identified subcombinations overlap in scope. Group 1 includes independent claim 1. All other claims in group 1, and all but one claim in each of groups 2 and 3, are dependent on claim 1, and therefore share in common the subject matter of claim 1 that per se overlaps between the


different claims. The remaining two claims, 39 and 40, also include subject matter that overlaps with claim 1. Restriction between subcombinations requires that "the subcombinations do not overlap in scope" (MPEP 806.05(d)). Therefore, none of the claims would be properly be restricted as different subcombinations. This is true between groups 1 and 2, 1 and 3, and 2 and 3, so again, each aspect of the restriction specifically traversed.

The applicants therefore respectfully submit that claims 1-28 and 39-40 have been demonstrated to be within a single inventive group, and have previously been shown to be allowable. The applicants accordingly respectfully request that the examiner withdraw the restriction requirement as to each of the identified inventive groups, and allow claims 1-28 and 39-40.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Bryan F. Erickson , Reg. No. 51,655
900 Second Avenue South, Suite 1400
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222
Fax: (612) 334-3312

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